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Message Text

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PAGE 01 ANKARA 05803 031502Z
ACTION L-03

INFO OCT-01 EUR-12 IO-13 ISO-00 FEA-01 ACDA-07 AGRE-00
AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 COME-00
DLOS-09 DODE-00 DOTE-00 EB-08 EPA-01 ERDA-05
FMC-01 TRSE-00 H-01 INR-07 INT-05 JUSE-00 NSAE-00
NSC-05 NSF-01 OES-07 OMB-01 PA-01 PM-05 PRS-01
SP-02 SS-15 USIA-06 /125 W
----------063553 032237Z /73
R 031301Z AUG 77
FM AMEMBASSY ANKARA
TO SECSTATE WASHDC 8374
AMEMBASSY LONDON
INFO AMEMBASSY ATHENS
AMEMBASSY NICOSIA
AMEMBASSY PARIS
AMCONSUL ISTANBUL
USMISSION GENEVA
AMCONSUL IZMIR
AMCONSUL ADANA
USDOCOLANDSOUTHEAST IZMIR
USDOCOSOUTH NAPLES
USCINCEUR

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E.O. 11652: N/A
TAGS: PLOS, PFOR, TU, GR, UK, FR
SUBJECT: TURKS SEE ENCOURAGING PRECEDENT IN ENGLISH
CHANNEL DELIMITATION

REF: PARIS 22409

1. SEVERAL TURKISH PAPERS JULY 30-AUGUST 1 RAN STORIES ON
RECENT FINAL DECISION BY INTERNATIONAL ARTIBTRATION COMMISSION
DELIMITING THE CONTINENTAL SHELF RIGHTS OF THE UK AND
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PAGE 02 ANKARA 05803 031502Z

FRANCE IN THE ENGLISH CHANNEL AND THE ATLANTIC OCEAN. THE
ARTICLES PARTICULARLY EMPHASIZED THE COMMISSION'S REPORTED
RULING THAT THE BRITISH-OWNED CHANNEL ISLANDS ALONG THE
FRENCH COAST WERE ENTITLED TO ONLY LIMITED CONTINENTAL SHELF
RIGHTS. THE ARTICLES DESCRIBED "COMCERNED OFFICIALS" OR "FOR-
EIGH MINISTRY AUTHORITIES" AS BEING VERY PLEASED WITH THE
DECISION AND QUOTED THEM AS SAYING THAT, IF THIS CASE IS USED

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

AS A PRECEDENT, THE AEGEAN CONTINENTAL SHELF DISPUTE BETWEEN GREECE AND TURKEY CAN BE SOLVED EASILY.

2. EMBOFF SPOKE AUGUST 2 WITH MFA AEGEAN/LOS SECTION CHIEF WHO SAID THAT MFA HAD NOT YET HAD OPPORTUNITY TO STUDY THE 241-PAGE TEXT OF THE DECISION AND WAS THEREFORE NOT IN A POSITION TO GIVE THE GOT'S REACTION TO IT. HOWEVER, SPEAKING PERSONALLY, HE SAID HE HAD FOUND SEVERAL FACTORS IN THE DECISION AS REPORTED IN WESTERN EUROPEAN PRESS (MAINLY JULY 26 LEMONDE) WHICH APPEAR TO BUTTRESS THE TURKISH POSITION:

A. THE COMMISSION'S RESORT TO THE PRINCIPLE OF EQUITY RATHER THAN A MECHANICAL APPLICATION OF PRINCIPLE OF EQUIDISTANT DEMARCATION LINE.
B. ITS APPARENT USE IN THIS CASE OF THE PROVISION IN ART. 6 OF THE 1958 GENEVA CONVENTION ON THE CONTINENTAL SHELF THAT AN EQUIDISTANT LINE SHALL BE USED "UNLESS ANOTHER BOUNDARY LINE IS JUSTIFIED BY SPECIAL CIRCUMSTANCES." THE TURKS HAVE LONG MAINTAINED THAT THE SITUATION IN THE AEGEAN POSSESSES SUCH "SPECIAL CIRCUMSTANCES."
C. THE APPARENT APPLICATION OF THE PRINCIPLE THAT ISLANDS SHOULD BE ESSENTIALLY IGNORED IN DIVIDING THE CONTINENTAL SHELF BETWEEN TWO LARGE LAND MASSES, WITH ONE COUNTRY'S ISLANDS (E.G., THE CHANNEL ISALNDS) OFF ANOTHER COUNTRY'S COAST BEING ENTITLED ONLY TO LIMITED CONTINENTAL SHELF RIGHTS AS ENCLAVES WITHIN THE SECOND COUNTRY'S CONTINENTAL SHELF. THIS LIMITED OFFICIAL USE

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PAGE 03 ANKARA 05803 031502Z

WOULD ALMOST EXACTLY CORRESPOND WITH THE TURKISH THESIS.
D. THE USE OF THE PRINCIPLE THAT DIFFERENTLY SITUATED ISLANDS (IN THIS CASE, THE SCILLY ISLES AND D'OUESSANT ISLAND) SHOULD BE GIVEN APPROPRIATELY VARIED WEIGHTS IN DELIMITING THE CONTINENTAL SHELF.

3. ACTION REQUESTED: WE WOULD APPRECIATE DEPARTMENT'S LEGAL ANALYSIS OF THIS DECISION AND ITS POTENTIAL APPLICABILITY TO THE AEGEAN SEABED DISPUTE. IF EMBASSY LONDON IS ABLE TO ACQUIRE A COPY OF THE DECISION, WE WOULD BE GRATEFUL TO HAVE IT.
SPIERS

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CONTINENTAL SHELF, COURT DECISIONS, TERRITORIAL CLAIMS
Control Number: n/a
Copy: SINGLE
Sent Date: 03-Aug-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977ANKARA05803
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
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Format: TEL
From: ANKARA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t197708103/aaaadjue.tel
Line Count: 106
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Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: b99b144f-c288-dd11-92da-001cc4696bcc
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 PARIS 22409
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 10-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1410942
Secure: OPEN
Status: NATIVE
Subject: TURKS SEE ENCOURAGING PRECEDENT IN ENGLISH CHANNEL DELIMITATION
TAGS: PLOS, PFOR, TU, GR, UK, FR
To: STATE LONDON
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/b99b144f-c288-dd11-92da-001cc4696bcc
Review Markings:
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